

98-2B-04

RCE/2004
83



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Carlos Gonzalez Ochoa
Application No.: 09/098,997
Filed: 06/17/1998
Confirmation No.: 4745
For: System for Bi-Directional Voice and Data Communications Over a Video Distribution Network
Group No.: 2611
Examiner: Rueben M. Brown

RECEIVED

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Technology Center 2100

**REQUEST FOR CONTINUED EXAMINATION (RCE)
WITH PETITION FOR THREE MONTH EXTENSION OF TIME**

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) AND 1.10

I hereby certify that, on the date shown below, this correspondence is being:

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37 C.F.R. Section 1.8(a)

37 C.F.R. Section 1.10

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Carol Welch

(type or print name of person certifying)

08/25/2004 RMEBRAHT 00000036 060540 09098997

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(37 C.F.R. 1.114)

1. Applicant hereby requests continued examination, in accordance with 37 C.F.R. Section 1.114, for the above identified application.

TIME REQUEST IS BEING MADE

2. This request is being submitted (*check appropriate item(s) below*):

- i. Prior to abandonment of the application
- ii. Payment of the issue fee
 - Prior to payment of issue fee
 - Issue fee has been paid but a petition under Section 1.313 has been granted
- iii. Prior to a decision on appeal to the Board of Patent Appeals & Interferences
 - A notice is being separately sent to the Board of Patent Appeals & Interferences that this Request for Continued Examination is being filed.
- iv. Appeal to the U.S. Court of Appeals of the Federal Circuit under 35 U.S.C. 145 or
 - Commencement of a civil action under 35 U.S.C. 146
 - Prior to the filing of such appeal or commencement of civil action
 - Such appeal or commencement of civil action has been terminated

ENCLOSURES

3. Enclosed herewith is/are:

- An information disclosure statement (37 C.F.R. Section 1.98)
- Form PTO-1449 (PTO/SB/08A and 08B)
- An amendment
- New arguments
- New evidence in support of patentability
- Other:

FEE FOR REQUEST (37 C.F.R. Section 1.17(e)).

4. This application is on behalf of:

| | |
|-------------------------------|----------|
| [X] Small entity | \$385.00 |
| [] Other than a small entity | \$750.00 |

Continued Prosecution Request Fee \$ 385.00**FEE FOR CLAIMS**

5. The fee for claims (37 C.F.R. Section 1.16(b)-(d)) has been calculated as shown below:

| (Col.1) | (Col. 2) | (Col. 3) | SMALL ENTITY | | | OTHER THAN A SMALL ENTITY | | |
|---|----------|----------|---------------------------------------|------------------|----------|------------------------------|----------|---------------|
| | | | Highest No. Previously Paid For | Present Extra | Rate | Addit. Fee OR | Rate | Addit. Fee |
| Total | 14 | Minus | 27 | = 0 | x \$9 = | \$ | x \$18 = | \$.00 |
| Indep. | 2 | Minus | 11 | = 0 | x \$43 = | \$ | x \$86 = | \$.00 |
| [] First Presentation of Multiple Dependent Claim + \$145 = \$ | | | | | | + \$290 = \$.00 | | |
| Total Addit. Fee | | | \$.00 | OR | | Total Addit. Fee | \$ __ | |

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3,

** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

(c) [X] No additional fee is required.

OR

(d) [] Total additional fee required is \$_____.

EXTENSION OF TIME

6. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. Section 1.136(a) apply.

- (a) Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. Section 1.17(a)(1)-(4), for the total number of months checked below:

| <u>Extension for (months)</u> | <u>Fee for small entity</u> | <u>Fee for other than small entity</u> |
|-----------------------------------|---------------------------------|--|
| [] one month | \$ 55 | \$ 110 |
| [] two months | \$210 | \$ 420 |
| [X] three months | \$475 | \$ 950 |
| [] four months | \$740 | \$1,480 |
| [] five months | \$1,005 | \$2,010 |
| | | <u>Fee \$ 475.00</u> |

If an additional extension of time is required, please consider this a petition therefor.

- [] An extension for _____ months has already been secured, and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ 475.00

OR

- (b) Applicant believes that no extension of time is required. However, this is a conditional petition and authorization to pay the necessary fees to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE(S) DUE

7. The total fee(s) due is/are:

| | |
|---|------------------|
| Continued Prosecution Fee (Section 1.17(e)) | <u>\$ 385.00</u> |
| Fee(s) for additional claims (if any) (Section 1.16(b)-(d)) | <u>\$ _____</u> |
| Extension of time fee (if any) (Section 1.17(a)(1)-(4)) | <u>\$ 475.00</u> |
| Total Fee(s) Due: | <u>\$860.00</u> |

PAYMENT OF FEE(S) DUE

8. Please pay the fee(s) for this continued examination application as follows:

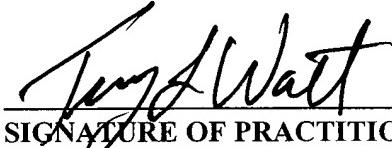
- [] A check is attached for the sum of \$ _____
- [X] Charge Account 06-0540 the sum of \$ 860.00
[X] A duplicate of this Cover Sheet is attached.
- [] Charge Credit Card the sum of \$ _____
(Credit Card Payment Form (PTO-2038) attached.)

Please charge any required additional fee(s) for Section 1.17(e), Section 1.16(b)-(d) and/or Section 1.17(a)(1)-(4) to

- [X] Deposit Account 06-0540
- [] Credit Card (Credit Card Payment Form (PTO-2038) attached.)

Respectfully submitted,

8/20/04
DATE



SIGNATURE OF PRACTITIONER

Reg. No.: 42,214

Terry L. Watt
(type or print name of practitioner)

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